

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

THE UNITED STATES OF AMERICA
Plaintiff

vs.

CRIM. CASE NO. 97-9-2 (CC)

JULIO CESAR VALDEZ-CAYETANO

MOTION NOTIFYING NEW CRIMINAL CONDUCT

TO THE HONORABLE CARMEN CONSUELO CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO:

COMES NOW, Miguel A. Arroyo-Domenech, U.S. Probation Officer of this Honorable Court and respectfully informs and prays as follows:

1. On November 7, 1997, Your Honor sentenced Mr. Valdez-Cayetano to one hundred and eight (108) months of imprisonment to be followed by five (5) years on supervised release for a violation to Title 46, U.S. Code, App. Section 1903(a)(1) and (f) and 18 U.S. Code, Section 2 - Aiding and abetting to possess with intent to distribute three hundred forty-eight point seven (348.7) kilograms of cocaine. As special conditions of said supervised release term, he was ordered to submit to urinalysis and the U.S. Immigration and Naturalization Service deportation special condition. A special monetary assessment in the amount of \$100 was imposed as well.

2. On October 22, 2004, Mr. Valdez-Cayetano was ordered deported from the United States jurisdiction to the Dominican Republic by an Immigration Judge in Orlando, Florida, as an aggravated felon.

3. On December 3, 2004, Mr. Valdez-Cayetano was released from FCC Coleman Medium in Coleman, Florida, and he was surrendered to the U.S. Immigration and Naturalization Service authorities for deportation purposes. On January 18, 2005, releasee was physically removed from the United States.

4. On May 16, 2006, Mr. Valdez-Cayetano along with 18 other Dominican nationals departed on board a maritime from a beach near La Romana, Dominican Republic, to Puerto Rico. On May 17, 2006, he arrived on the coast of Mona Island, and thus, he illegally reentered

the United States without being inspected or paroled by an Immigration Officer. On May 18, 2006, Border Patrol Agents arrived to Isla Mona proceeding to arrest all undocumented aliens, including Mr. Valdez-Cayetano.

5. On June 12, 2006, Mr. Valdez-Cayetano was ordered detained without bail by a U.S. Magistrate Judge.

6. Mr. Valdez-Cayetano is the subject of a one count indictment in criminal case number 06-199-1 (JAF) rendered by a District of Puerto Rico Grand Jury on June 21, 2006 which essentially charges releasee with re-entry after deportation subsequent to a conviction for the commission of an aggravated felony. He is scheduled to be sentenced on November 15, 2006 by the Honorable José A. Fuste, Chief U.S. District Judge.

WHEREFORE, I declare under penalty of perjury that the foregoing is true and correct. It is respectfully requested the Court scheduled an Order to Show Cause Hearing and order the warden of the Metropolitan Detention Center, Guaynabo, Puerto Rico, to produce Mr. Valdez-Cayetano before this Court, to show cause why his supervised release term should not be revoked; thereupon, releasee to be dealt with pursuant to law.

In San Juan, Puerto Rico, this **13th day of November 2006.**

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Miguel A. Arroyo-Domenech

Miguel A. Arroyo-Domenech

U.S. Probation Officer

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, **November 13, 2006**, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: AUSA Miriam Y. Fernández-González, Esq., and AFPD Carlos A. Vázquez, Esq.

In San Juan, Puerto Rico, **November 13, 2006**.

s/Miguel A. Arroyo-Domenech
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